

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

UNITED STATES OF AMERICA
v.
RAUL ANTONIO CLAROS SARMIENTO

Criminal No. 4:25-cr-0399

UNITED STATES OF AMERICA'S
RESPONSE TO RAUL ANTONIO CLAROS SARMIENTO'S
OPPOSED MOTION TO SUBSTITUTE COUNSEL

The United States of America (“Government”) files this response to Raul Antonio Claros Sarmiento’s motion to substitute counsel.

1.

On July 1, 2025, U.S. Magistrate Judge Peter Bray appointed counsel Javier Martinez to represent defendant Peter Davila Nuñez (“Davila”). D.E. 14.

2.

On July 1, 2025, U.S. Magistrate Judge Peter Bray appointed counsel Stephen Touchstone to represent defendant Raul Antonio Claros Sarmiento (“Claros”). D.E. 7.

3.

On July 28, 2025, counsel Javier Martinez filed an opposed motion to substitute as counsel for defendant Claros. D.E. 101.

4.

The Government opposed the motion to substitute counsel because it believes that counsel Javier Martinez's representation of defendant Davila and defendant Claros creates a "potential" conflict of interest.

5.

Since counsel Javier Martinez indicates in his motion that both defendants Davila and Claros are willing to waive their right to conflict free counsel, the Government is requesting that the Court hold a hearing to inquire into the propriety of the joint representation pursuant to Federal Criminal Proc. Rule 44(c)(2). At said hearing, the Government requests that the Court advise defendants Davila and Claros of the perils of multiple representation and determine whether their respective waivers are being made knowingly and voluntarily.

Respectfully submitted,

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CERTIFICATE OF SERVICE

On July 29, 2025, the Government filed this response via ECF and served counsel of record.

s/ *Anibal J. Alaniz*
Anibal J. Alaniz
Assistant United States Attorney

s/ *Casey N. MacDonald*
Casey N. MacDonald
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